UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TENNESSEE

IN RE:	: **CASE NO: 17-21793-JDL**
	: **CHAPTER: 7**
	:
METRELL PATRICE GREEN	:
Debtor	:

- -

BANK OF AMERICA, N.A.,	:
Movant,	:
	: **CONTESTED MATTER**
vs.	:
	:
METRELL PATRICE GREEN	:
LYNDA F. TEEMS, Trustee	:
Respondents.	:

MOTION FOR ABANDONMENT AND RELIEF FROM AUTOMATIC STAY

Bank of America, N.A. ("Movant") hereby moves this Court for abandonment, pursuant to 11 U.S.C. §554, and relief from the automatic stay, pursuant to 11 U.S.C. § 362, as to a **2013 NISSAN MAXIMA VIN# 1N4AA5AP7DC838854** (the "Vehicle"), for all purposes allowed by law, the Contract (defined below), the **Certificate of Title** (defined below), and applicable law. In further support of this Motion, Movant respectfully states:

1. The Debtor(s) has/have executed and delivered or is/are otherwise obligated with respect to that certain **Retail Installment Sale Contract Simple Finance Charge** in the original amount of **$41,394.07** (the "Contract"). A copy of the Contract is attached hereto as Exhibit "A". Movant is an entity entitled to enforce the Contract.

2. Pursuant to that certain **Certificate of Title** (the "**Certificate of Title**"), all obligations (collectively, the "Obligations") of the Debtor(s) under and with respect to the Contract and the **Certificate of Title** are secured by the Vehicle. A copy of the **Certificate of Title** is attached hereto as Exhibit "B".

3. As of **March 30, 2017**, the outstanding Obligations is: **$22,007.61**.

4. As of **March 30, 2017**, the Debtor has failed to make **10** payments due pursuant to the terms of the **Retail Installment Sale Contract Simple Finance Charge**.

5. The estimated market value of the Vehicle is **$16,875.00**. The basis for such valuation is **NADA Guides**. A copy of the **NADA Guides** is attached hereto as Exhibit "C".

6. Cause exists for relief from the automatic stay for the following reason:

   1. The vehicle, which can be easily moved, secreted and damaged by the Debtor or others, is not adequately protected.

WHEREFORE, Movant prays that this Court issue an Order terminating or modifying the stay and granting the following:

1. Relief from the stay entered by this Honorable Court pursuant to 11 U.S.C. § 362 to be modified for all purposes allowed by law, the Contract, the **Certificate of Title**, and applicable law, including but not limited to allowing Movant (and any successors or assigns) to proceed under applicable non-bankruptcy law to enforce its remedies and obtain possession of the Vehicle.

2. That the Order be binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of Title 11 of the United States Code.

3. That the 14-day stay described by Bankruptcy Rule 4001(a)(3) be waived.

4. That the Vehicle be deemed abandoned by the Chapter 7 Trustee as an asset of the Bankruptcy estate effective upon entry of the Court's order.

5. For such other relief as the Court deems proper.

RUBIN LUBLIN TN, PLLC

/s/ Natalie Brown Date: 04/14/2017

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CERTIFICATE OF SERVICE

I, Natalie Brown of Rubin Lublin TN, PLLC certify that on the 14th day of April, I caused a copy of the Motion for Abandonment and Relief from Automatic Stay to be filed in this proceeding by electronic means and to be served as follows:

The following parties were served by standard First-Class U.S. Mail:

B. David Sweeney, Esq.
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Lynda F. Teems, Trustee
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United States Trustee
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Metrell Patrice Green
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Executed on 04/14/2017
By:/s/ Natalie Brown
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